BEFORE

THE PUBLIC SERVICE COMMISSION OF

SOUTH CAROLINA

DOCKET NO. 2003-326-C

IN RE:	)
Analysis of Continued Availability of	)
Unbundled Local Switching for Mass Market	)
Customers Pursuant to the Federal Communication	)
Commission's Triennial Review Order	)
	)

SURREBUTTAL TESTIMONY OF SHERRY LICHTENBERG

On Behalf Of

MCI WORLDCOM COMMUNICATIONS, INC.
AND

MCIMETRO ACCESS TRANSMISSION SERVICES, LLC

March 31, 2004

1	Q.	**PLEASE STATE YOUR NAME, EMPLOYER AND TITLE.**
2	A.	My name is Sherry Lichtenberg. I am currently employed by MCI as Senior
3		Manager, Operational Support Systems Interfaces and Facilities Development.
4	Q.	**ARE YOU THE SAME SHERRY LICHTENBERG WHO PROVIDED**
5		**DIRECT AND REBUTTAL TESTIMONY IN THIS DOCKET?**
6	A.	Yes.
7	Q.	**WHAT IS THE PURPOSE OF YOUR SURREBUTTAL TESTIMONY IN**
8		**THIS PROCEEDING?**
9	A.	The purpose of my surrebuttal testimony is to address the Rebuttal Testimony of
10		BellSouth witnesses Ronald M. Pate, Kenneth L. Ainsworth and Alphonso J.
11		Varner.
12		

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Introduction

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14	Q.	**DOES BELLSOUTH PROVIDE EVIDENCE IN ITS REBUTTAL**
15		**TESTIMONY THAT ITS UNE-L ORDERING AND PROVISIONING**
16		**SYSTEMS CAN HANDLE MASS MARKET VOLUMES?**
17	A.	No. As with its direct testimony, BellSouth focuses on its existing UNE-L
18		processes that currently handle low volumes of orders.
19	Q.	**DOES BELLSOUTH ACKNOWLEDGE THAT IMPAIRMENT CAN**
20		**ARISE IF MIGRATIONS DO NOT TAKE PLACE SEAMLESSLY**
21		**BETWEEN ALL CARRIERS IN THE DIFFERENT SCENARIOS THEY**
22		**WILL ENCOUNTER?**

1   A.   No. Although BellSouth does not deny that problems exist in CLEC-to-CLEC

2   migrations, for example, BellSouth's position is that problems arising from

3   carriers other than itself are irrelevant to the impairment analysis, however real

4   those problems may be to the carriers involved and their customers. BellSouth

5   fails to recognize that in a fully competitive market, customers must be able to

6   move from carrier to carrier seamlessly as they do today in the long distance

7   market and, to a more limited degree, with UNE-P in the local market. This case

8   is not just about BellSouth's performance, but about all carriers' -- and their

9   customers' – experience.

10 Q.   **IS BELLSOUTH WILLING TO WORK COLLABORATIVELY WITH**

11   **CLECS TO IDENTIFY AND REMEDIATE OPERATIONAL**

12   **IMPAIRMENT?**

13 A.   No. Although BellSouth has participated in one workshop process in Florida with

14   respect to CSRs, its position generally is that its current UNE-L processes are

15   good enough and that CLECs should have the burden of identifying specific

16   problems and then requesting solutions through the change management process.

17   While the change management process (at least in theory) can work reasonably

18   well to make software changes to existing electronic processes, it is not suited to

19   transforming BellSouth's manual and complex UNE-L ordering and provisioning

20   systems so that they can provide seamless migrations in a facilities-based world.

21   Making such a transformation will involve a give-and-take process and require

22   the management and coordination of significant changes to BellSouth's systems

23   and processes over an extended period. Other ILECs, including SBC, Verizon

1   and Qwest, have worked collaboratively with CLECs to improve their batch hot

2   cut processes, reducing the number of contested issues dramatically and providing

3   a good first step toward addressing the entire UNE-L migration process.

4   BellSouth stands alone as the only RBOC that has refused to undertake such a

5   collaborative process.

6   In addition to the improvements that BellSouth has stated it will make and

7   which I referenced in my rebuttal testimony, BellSouth has "promised" to create

8   some sort of web-based batch hot cut tracking system, to implement a due date

9   scheduler (which will potentially eliminate the need for both the spreadsheet and

10   the negotiation with the Project Manager), and to include CLEC to CLEC UNE-P

11   to UNE-L migrations in the hot cut process. Unfortunately, BellSouth has yet to

12   fully explain these changes to CLECs or to provide Change Requests regarding

13   these changes to the Change Management forum. In addition, of the 7 change

14   requests submitted by CLECs, which I referenced in my rebuttal testimony,

15   BellSouth has rejected some of these as not "technically feasible" but has yet to

16   explain what it will do, when it will do it, or what OSS changes will be required.[1]

17 **Q.   IN MR. AINSWORTH'S REBUTTAL AT P. 23, BELLSOUTH CONTENDS**

18   **THAT MCI IS SEEKING TO REQUIRE BELLSOUTH TO IMPLEMENT**

19   **ELECTRONIC LOOP PROVISIONING ("ELP"). IS THAT THE CASE?**

20 A.   No. MCI has not taken a position on AT&T's ELP proposal in these proceedings

21   or anywhere else. MCI believes that automation can be introduced into the hot

22   cut process in phases, beginning with automating the ordering and tracking

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[1] During the March 24, 2004 Change Management meeting in Atlanta, BellSouth agreed to call a special meeting with CLECs to discuss these changes in detail.

1		processes via an on-line due date scheduler and tracking system similar to
2		Verizon's WPTS, and ending with upgrades to BellSouth's physical plant that
3		will allow for the automated unbundling of loops and cutovers. MCI has not,
4		however, proposed a wholesale upgrading of that network as a precondition to a
5		finding of no impairment.

<p style="text-align:center"><u>Ordering Systems</u></p>

7   **Q.**   **MR. PATE ASSERTS THAT FLOW THROUGH FOR UNE-L IS HIGH. IS**

8   **HE CORRECT?**

9   A.   No. The first chart on page 9 of Mr. Pate's Rebuttal for May–July 2002 shows

10   flow-through calculations for "UNE," which includes both UNE-L and UNE-P.

11   Thus, the flow through shown in that category tells one little about flow through

12   for UNE-L, since the number of UNE-P orders dwarfs the number of UNE-L

13   orders. The second chart on page 9 purports to show flow through of 86.19% for

14   UNE-L orders for August 2003. That number does not reflect CLECs' experience

15   however, because all orders that fall out for manual processing by design are

16   excluded from consideration.

17   **Q.**   **HAS BELLSOUTH PROVIDED A MORE ACCURATE PICTURE OF**

18   **UNE-L FLOW THROUGH IN ITS DISCOVERY RESPONSES?**

19   A.   Yes. BellSouth provided data in response to AT&T Interrogatory No. 28 showing

20   the percentage of fully mechanized UNE-L migration orders by region and by

21   state. For the region the percentage of fully mechanized UNE-L migration orders

22   in August 2003 was 27.1%. As I noted in my Rebuttal Testimony, BellSouth

23   recently acknowledged that for purposes of its force model, it assumed that only

1		37% of UNE-L LSRs would flow through its systems. Despite Mr. Pate's attempt
2		to cloud the issue, there is really no dispute that manual processing is involved in
3		most BellSouth UNE-L migration orders.
4	**Q.**	**HOW DO YOU RESPOND TO MR. PATE'S CONTENTION AT P. 8**
5		**THAT BELLSOUTH'S PERFORMANCE WAS DEEMED ADEQUATE**
6		**FOR 271 PURPOSES?**
7	A.	When BellSouth received authority to provide in-region long distance authority in
8		South Carolina, the only service delivery method by which CLECs were
9		providing high volume service to mass market customers was UNE-P. As the
10		FCC found in the *Triennial Review Order*, "the number of hot cuts performed by
11		BOCs in connection with the section 271 process is not comparable to the number
12		that incumbent LECs would need to perform if unbundled switching were not
13		available for all customer locations served with voice-grade loops." *Triennial*
14		*Review Order*, ¶ 469. The flow-through that might be acceptable for low volumes
15		of UNE-L orders could cause impairment for mass market volumes. And
16		mechanization percentages on the order of what BellSouth is providing, combined
17		with its manual provisioning processes, almost certainly would give rise to
18		impairment for CLECs attempting to submit high volumes of UNE-L migration
19		orders.
20	**Q.**	**PLEASE COMMENT ON THE CHART ON MECHANIZED LSRS THAT**
21		**APPEARS ON PAGE 10 OF MR. PATE'S REBUTTAL.**
22	A.	The fact that only 2.3% of BellSouth's electronic orders are for UNE-L
23		demonstrates the relative insignificance of UNE-L today as a mass market service

1   delivery method. Further, of the 17,943 mechanized UNE-L orders that were

2   submitted for the region in August 2003, only 3120 were for the migration of

3   BellSouth retail customers to CLEC UNE-L. (BellSouth Response to AT&T

4   Interrogatory No. 28.) This constitutes about 1.4% of the 228,326 mechanized

5   orders to migrate BellSouth retail customers to UNE-P. (BellSouth Response to

6   AT&T Interrogatory No. 32.)

7 **Q.**   **WITH RESPECT TO LFACS, MR. PATE AT PAGE 16 RELIES ON FCC**

8   **271 RULINGS THAT BELLSOUTH PROVIDES THE SAME**

9   **INFORMATION TO CLECS AS IT PROVIDES TO ITSELF. PLEASE**

10   **RESPOND.**

11 A.   This issue must now be viewed in the mass market context. Although BellSouth

12   may provide the same information to CLECs as it does for itself, BellSouth still

13   has most of the customers and thus it is the CLECs that will have to do most of

14   the migrating, at least at first. Inaccurate data will have a disproportionate impact

15   on CLECs attempting to place high volumes of UNE-L orders. It is therefore

16   critical that the LFACS database be accurate. Moreover, because high UNE-L

17   order volumes would lead to frequent LFACS changes (such as when changes are

18   made to IDLC loops), BellSouth should be required to update the database in real

19   time.

20 **Q.**   **HAS MCI IDENTIFIED SPECIFIC PROBLEMS IN LFACS THAT WILL**

21   **IMPACT THE MIGRATION PROCESS?**

22 A.   Yes. MCI has identified a defect in accessing the LFACS database that makes it

23   impossible for CLECs to obtain loop make-up information for customers that

1		have migrated to UNE-L. BellSouth has agreed that this defect exists and is
2		scheduled to open a change request to correct it. The inability to determine a
3		customer's current loop make-up is a critical flaw in the system, since it prohibits
4		CLECs from determining how the customer has been provisioned (for example, is
5		the customer now on a copper loop or UDLC, how long is the loop, is the loop
6		conditioned, etc). and thus will impede the CLEC's ability to manage that
7		customer and to add other services, such as DSL to the loop. Curiously, this
8		problem was identified by Supra Telecom in December, but was only accepted as
9		a defect after MCI brought it to BellSouth's attention once again.
10	**Q.**	**AT PAGES 20-21, MR. PATE CONTENDS THAT NPAC CAN HANDLE**
11		**INCREASED VOLUMES FROM UNE-L. PLEASE RESPOND.**
12	A.	Because mass market UNE-L volumes will be a new experience for the industry,
13		it remains to be seen whether NPAC can handle such volumes. Not all CLECs
14		participate in forecasting, and the current forecast does not include UNE-P to
15		UNE-L transitions. The Commission needs to be sure that the NPAC rules can
16		account for all the transactions that will take place. NPAC's metrics are not made
17		available to the public. The Commission and the industry need better insight into
18		this issue to ensure that there is not a replay of the wireless number portability
19		experience.
20	**Q.**	**AT PAGE 22 OF HIS REBUTTAL, MR. PATE SUGGESTS THAT CLEC-**
21		**TO-CLEC MIGRATIONS ARE NOT RELEVANT IN THIS DOCKET. DO**
22		**YOU AGREE?**

1   A.   No. For the reasons I have already discussed, if the industry has not developed a

2   seamless process for CLEC-to-CLEC migrations, CLECs will be impaired and

3   their customers will be harmed. All carriers, including ILECs, must be a part of

4   making this process work. Not only must ILECs be involved in facilitating

5   CLEC-to-CLEC migrations, but the same or similar processes must be employed

6   when a UNE-L customer migrates back to an ILEC.

7   Q.   **DO YOU AGREE WITH THE APPROACH TO THE CSR ISSUE THAT**

8   **MR. PATE SUGGESTS IN HIS REBUTTAL?**

9   A.   I agree that BellSouth and the CLECs should deal with this issue collaboratively.

10   I further agree that performance measurements and remedies will need to be

11   established. Where we may disagree is that MCI believes that a clearinghouse

12   much like CARE in long distance should be established to facilitate the

13   transmission of CSR information between carriers.

14 Q.   **MR. PATE STATES AT PAGE 25 THAT CLECS DO NOT NEED**

15   **CIRCUIT IDs TO MIGRATE UNE-P CUSTOMERS TO UNE-L. IS THAT**

16   **WHAT YOU ASSERTED IN YOUR TESTIMONY?**

17 A.   No. My discussion of the need for circuit IDs concerned subsequent migrations

18   of UNE-L customers. As I acknowledged, circuit IDs are not an issue for the

19   initial migration from BellSouth to the CLEC. They are an issue, however for

20   subsequent migrations (including subsequent migrations to the ILEC), and it is

21   critical that the issue be addressed.

22   **Provisioning Systems**

1 Q. **AT PAGE 6 OF HIS REBUTTAL, MR. AINSWORTH STATES THAT**

2   **THE DATABASE UPDATES YOU DISCUSSED IN YOUR TESTIMONY**

3   **DO NOT REQUIRE COORDINATION BETWEEN THE CLEC AND THE**

4   **ILEC. IS THIS CORRECT?**

5 A. Only partially. In the case of completion notifications for non-coordinated orders,

6   for example, MCI creates its database update transactions electronically, but

7   cannot release them until BellSouth notifies it that the cutover has been

8   completed. After CWINS personnel complete the order, BellSouth's EnDI

9   system generates an email or fax to the CLEC. The CLEC must track the receipt

10   of these notifiers so that it may initiate the LNP activation process and customers

11   will not be able to receive calls until this process is complete.

12 Q. **HOW CAN BELLSOUTH CORRECT THIS PROBLEM?**

13 A. BellSouth should work with CLECs to develop an automated method for

14   notifying them that the conversion is complete. Verizon already has a real-time,

15   notification system that allows CLECs to track the process of their cutovers

16   without the manual coordination steps required by BellSouth, and SBC and Qwest

17   have agreed to develop such a tool. In addition, Verizon has announced that it is

18   working with the NPAC to determine how it can pull the LNP trigger for the

19   CLEC so that the risks to customers associated with missing this step can be

20   eliminated.

21   **Metrics**

22 Q. **MR. VARNER CONTENDS AT PAGE 4 OF HIS REBUTTAL THAT**

23   **BELLSOUTH'S MANUAL HANDLING OF UNE-L MIGRATION TASKS**

1 **DOES NOT RESULT IN ERRORS AND DELAY. HOW DO YOU**

2 **RESPOND?**

3 A.   BellSouth's performance data is of limited value because CLECs are not

4 submitting large volumes of UNE-L orders. Moreover, the three hot cut metrics

5 Mr. Varner refers to do not provide data on non-coordinated cutovers that MCI

6 would use for residential customers, and in any event only provide a small

7 window into the overall process, focusing on the hot cut itself and provisioning

8 troubles within seven days after the cutover.

9 Q.   **AT PAGES 4-6 OF HIS REBUTTAL, MR. VARNER CONTENDS THAT**

10 **BELLSOUTH'S PERFORMANCE DATA REFUTE YOUR CONCERN**

11 **ABOUT INCREASED OUT OF SERVICE TIMES AND CUSTOMER**

12 **HARM. PLEASE RESPOND.**

13 A.   As a preliminary matter, BellSouth's performance data only concerns the current

14 level of UNE-L circuits. Moreover, BellSouth's metrics only take into account

15 the BellSouth side of the equation. The fact that the circuit is "broken up"

16 between two carriers, going from BellSouth's facilities to the CLEC's collocation

17 and switch, could lead to greater outage times, which will not always be captured

18 by BellSouth's metrics.

19 Q.   **DOES THIS CONCLUDE YOUR SURREBUTTAL TESTIMONY?**

20 A.   Yes, it does.